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O PE SYNNESTVEDT & LECHNER LLP

Intellectual Property Law

May 8, 2006

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*ADMITTED ONLY IN NY

VIA FEDERAL EXPRESS

Ms. Wynette Stapor Ms. Linda Hodge-Taylor USPTO- Reconstruction Files 500 Dulany Street-Jefferson Building Room 4C35/8A77 Alexandria, VA 22313

Re:

Application Serial No. 09/966,204

S&L File No. P-26,643 USA

Dear Ms. Stapor:

Further to your March 30, 2006 facsimile to our offices, please find enclosed the copies of the documents you requested.

Please do not hesitate to contact Mr. Mark Simpson or me if you have any questions or if you need any additional documents.

Andrea Cojocar

Invernational IP Advisor

/axc Enclosures







UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. | |
|------------------------------------|-------------------|----------------------|-------------------------|------------------|--|
| 09/966,204 09/28/2001 | | Yanling Sun | 2 | 4442 | |
| 75 | 90 12/04/2002 | | | | |
| Docket Admir | nistrator | 4 | EXAM | INER | |
| Agere Systems Inc. P.O. Box 614 | | 11 | NGUYEN, JOHN B | | |
| Berkeley Heigh | ts, NJ 07922-0614 | 1 | ART UNIT | PAPER NUMBER | |
| | | | 2819 | | |
| | | | DATE MAILED: 12/04/2002 | 1 | |

ENTERED COMPUTER

Due 3/4/02

Please find below and/or attached an Office communication concerning this application or proceeding.

FOR 26643 USA
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SYNNESTVEDT & LECHNER

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| · , - , | | 70 | Application No | | Applicant(s) | |
| | (_ MAY 1 | 0 2006 | 09/966,204 | , | SUN, YANLING | |
| | Office Action Summary | Æ. | Examiner | | Art Unit | |
| | TE FRAI | EMARK | | | 2819 | |
| | The MAILING DATE of this communication | cation app | John B Nguyen ears on the cove | r sheet with the d | · | ldress |
| Period fe | | | | | | , |
| THE - Exte after - If the - If NO - Failu - Any | ORTENED STATUTORY PERIOD FO MAILING DATE OF THIS COMMUNIO Insions of time may be available under the provisions of SIX (6) MONTHS from the mailing date of this commu- e period for reply specified above is less than thirty (30 o period for reply is specified above, the maximum stature to reply within the set or extended period for reply reply received by the Office later than three months afted patent term adjustment. See 37 CFR 1.704(b). | CATION. of 37 CFR 1.13 unication.) days, a reply utory period wi vill, by statute, | 6(a). In no event, how within the statutory mill apply and will expire cause the application to | ever, may a reply be tir nimum of thirty (30) day SIX (6) MONTHS from o become ABANDONE | nely filed /s will be considered timel the mailing date of this c CO (35 U.S.C. § 133). | |
| 1) | Responsive to communication(s) file | ed on | | | | |
| 2a) <u></u> | | | – s action is non-f | inal. | | |
| 3)□ Disposit | Since this application is in condition closed in accordance with the praction of Claims | for allowa | nce except for fo | ormal matters, pi | | e merits is |
| 4)🖾 | Claim(s) 1-9 is/are pending in the ap | plication. | | | | |
| | 4a) Of the above claim(s) is/are | e withdraw | n from consider | ation. | | |
| | Claim(s) is/are allowed. | | | | | |
| 6)🖂 | Claim(s) <u>1-9</u> is/are rejected. | | | | | |
| | Claim(s) is/are objected to. | | | | | |
| | Claim(s) are subject to restrict | ion and/or | election require | ment. | | |
| | on Papers | | · | | | |
| 9)[| The specification is objected to by the | Examiner. | | | | |
| 10)[| The drawing(s) filed on is/are: a | a) accept | ted or b) dobject | ed to by the Exa | miner. | |
| | Applicant may not request that any obje | ction to the | drawing(s) be he | ld in abeyance. S | ee 37 CFR 1.85(a). | |
| 11)[| The proposed drawing correction filed | on | is: a)∏ approve | ed b) disappro | oved by the Examin | er. |
| | If approved, corrected drawings are requ | uired in repl | y to this Office ac | tion. | | |
| 12) 🔲 🤈 | The oath or declaration is objected to I | y the Exa | miner. | | | |
| Priority u | ınder 35 U.S.C. §§ 119 and 120 | | | | | |
| 13)⊠ | Acknowledgment is made of a claim f | or foreign | priority under 35 | 5 U.S.C. § 119(a |)-(d) or (f). | |
| a)[| ☑ All b)☐ Some * c)☐ None of: | | | | | |
| | 1. Certified copies of the priority d | ocuments | have been rece | ived. | | |
| | 2. Certified copies of the priority d | ocuments | have been rece | ived in Application | on No | |
| * S | 3. Copies of the certified copies of application from the Interna ee the attached detailed Office action | tional Bure | eau (PCT Rule 1 | 17.2(a)). | | Stage |
| | cknowledgment is made of a claim for | | | - | | application). |
| a | The translation of the foreign lang | uage prov | isional applicati | on has been rec | eived. | , |
| Attachment | | _ | · • | 33 | - | |
| l) 🔯 Notice | e of References Cited (PTO-892) e of Draftsperson's Patent Drawing Review (PTo nation Disclosure Statement(s) (PTO-1449) Pap | | 4) 5) | | (PTO-413) Paper No(Patent Application (PTC | |
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Art Unit: 2819

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Welland (U.S Patent No. 6,327,463 B1).

Regarding to claim 1, Welland et al. discloses Phase-locked loop circuit (Figure 2) comprising: a voltage-controlled oscillator (Figure 2, 212) which includes at least one resonator circuit (Figure 3 and Figure 4) for driving the oscillator; a phase-locked loop including frequency control means (ABSTRACT) for controlling the output frequency of said oscillator, such that during operation said resonator circuit runs at a resonator frequency to drive said oscillator at an oscillator output frequency which is an integer multiple of the resonator frequency (column 7, lines 45-67; column 8, lines 1-60); wherein the resonator frequency is coupled to the frequency control means of the phase-locked loop, in that the resonator circuit includes at least one adjustable component to control the resonator frequency and in that the phase-locked loop frequency control means are coupled to the resonator circuit for controlling the resonator frequency (Figure 4 and 5, column 8, lines 17-65; column 9, lines 33 +..) as claim 1 discloses.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2819

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 2-9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Welland (U.S Patent No. 6,327,463 B1) in view of Mucke et al. (U.S Patent No. 6,268,778 B1).

Regarding to claims 5, 6 and 8, Welland Discloses Phase-locked loop (Figure 2) comprising: a resonator (figure 4), wherein the resonator circuit comprise LC circuits with at least one variable capacitor (figure 4, 402,406). However, Welland fails to show a VCO comprises a push-push circuit, a pair of resonator circuit, a pair of substantially identical active devices, respectively.

Regarding to claims 2-4, 7 and 9, Figures 1(100) Mucke et al. disclosed a Voltage-controlled oscillator (VCO) comprises a push-push circuit (112); a pair of resonator circuits (combine each set of 102,104); a pair of substantially identical active devices (136,138). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the device of Mucke et al. to the device of Welland for the purpose of a balanced circuit in which two active devices oscillate at the fundamental frequency 180 degree out of phase and in which even harmonic signals are generated in phase.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (See enclosed Form PTO-892).

Art Unit: 2819

Page 4

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John B Nguyen whose telephone number is (703) 308-6039. The examiner can normally be reached on 8AM-4: 30 PM M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Tokar can be reached on (703) 305-3493. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-7722

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

John B. Nguyen November 25, 2002

/Brian Young





U.S. DEPARTMENT OF COMMERCE - Patent and Trademark Office

Application No 09 966, 204

NOTICE OF DRAFTSPERSON'S PATENT DRAWING REVIEW

| The drawing(s) filed (insert date) 09/28/0 (are: Aapproved by the Draftsperson under 37 CFR 1.84 or 1.152. Babjected to by the Draftsperson under 37 CFR 1.84 or 1.152 f submission of new, corrected drawings when necessary. Corrected drawings when necessary. | or the reasons indicated below. The Examiner will require wing must be sumitted according to the instructions on the back of this notice. |
|---|---|
| DRAWINGS. 37 CFR 1.84(a): Acceptable categories of drawings: Black ink. Color. Color drawings are not acceptable until petiton is granted. Fig(s) | 8. ARRANGEMENT OF VIEWS. 37 CFR 1.84(i) Words do not appear on a horizontal, left-to-right fashion when page is either upright or turned so that the top |
| Pencil and non black ink not permitted. Fig(s) | becomes the right side, except for graphs. Fig(s) 9. SCALE. 37 CFR 1.84(k) |
| 2. PHOTOGRAPHS. 37 CFR 1.84(b) 1 full-tone set is required. Fig(s) Photographs may not be mounted. 37 CFR 1.84(e) Poor quality (half-tone). Fig(s) | Scale not large enough to show mechanism without crowding when drawing is reduced in size to two-thirds in reproduction. |
| 3. TYPE OF PAPER. 37 CFR 1.84(e) | Fig(s) |
| Paper not flexible, strong, white, and durable. | 37 GFR 1.84(i) |
| Fig(s) Erasures, alterations, overwritings, interlineations, folds, copy machine marks not accepted. Fig(s) Mylar, velum paper is not acceptable (too thin). Fig(s) | Lines, numbers & letters not uniformly thick and well-defined, clean, durable, and black (poor line quality). Fig(s) 1 - 3 11. SHADING. 37 CFR 1.84(m) |
| 4. SIZE OF PAPER. 37 CFR 1.84(f): Acceptable sizes: | Solid black areas pale. Fig(s) Solid black shading not permitted. Fig(s) |
| 21.0 cm by 29.7 cm (DIN size A4) 21.6 cm by 27.9 cm (8 1/2 x 11 inches) All drawing sheets not the same size. Sheet(s) | Shade lines, pale, rough and blurred. Fig(s) 12. NUMBERS, LETTERS, & REFERENCE CHARACTERS. 37 CFR 1.84(p) |
| Drawings sheets not an acceptable size. Fig(s) | Numbers and reference characters not plain and legible. |
| 5. MARGINS. 37 CFR 1.84(g): Acceptable margins: | Fig(s) Figure legends are poor. Fig(s) |
| Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm SIZE: A4 Size Top 2.5 cm Left 2.5 cm Right 1.5 cm Pour 1.0 | Numbers and reference characters not oriented in the same direction as the view. 37 CFR 1.84(p)(1) Fig(s) |
| Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm. SIZE: 8 1/2 x 11 | English alphabet not used. 37 CFR 1.84(p)(2) |
| Margins not acceptable. Fig(s) Top (T) Left (L) . Right (R) Bottom (B) 6. VIEWS. 37 CFR 1.84(h) | FigsNumbers, letters and reference characters must be at least .32 cm (1/8 inch) in height. 37 CFR 1.84(p)(3) Fig(s) 13. LEAD LINES. 37 CFR 1.84(q) |
| REMINDER: Specification may require revision to | Lead lines cross each other. Fig(s) |
| correspond to drawing changes. Partial views, 37 CFR 1 84(b)(2) | — Lead lines missing. Fig(s) |

U.S. G.P.O. 2001 476-91

| | | Notice of Reference | Ol Ol | ' = \ | plication/Control No. /966,204 | Applicant(s Reexamina SUN, YAN | |
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| | | Notice of Reference | es Citea | | aminer | Art Unit | |
| _ | | | MAY | 1 0 2006 FX | nn B Nguyen T DOCUMENTS Name | 2819 | Page 1 of 1 |
| | | T Doorwood Musels | TRI | DENTEN | T DOCUMENTS | · · · · · · · · · · · · · · · · · · · | |
| * | | Document Number Country Code-Number-Kind Code | MM-YYYY | | Name | | Classification |
| | Α | US-00-6,327,463 B1 | 12-2001 | Welland | | | 455/260 |
| | В | US-00-6,268,778 B1 | 07-2001 | Mucke et al. | | | 331/117R |
| | С | US-00-6,326,854 B1 | 12-2001 | Nicholls et a | 1. | | 331/56 |
| | D | US-00-5,650,754 | 07-1997 | Joshi et al. | | | 331/36C |
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3. Patent and Trademark Office FO-892 (Rev. 01-2001)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTORS:

Yanling Sun

APPLICATION NO.

09/966,204

FILED:

September 28, 2001

CASE:

Sun 2 (S&L File No. P 26,643 USA)

TITLE:

Phase-Locked Loop Circuit As Well As A Voltage-Controlled

Oscillator as Used In a Phase-Locked Loop Circuit

Certificate of Mailing

I certify that this document and fee is being deposited with the U.S. Postal Service as first class mail, postage prepaid, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 2, 2003.

Dorothy M. Musquare Dorothy M. Musgreave

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Information Disclosure Statement

Pursuant to 37 C.F.R. §§1.56, 1.97 and 1.98

Sir:

Pursuant to Applicant's duty of disclosure set forth in 37 CFR §§1.56, 1.97 and 1.98, the following information is disclosed to aid the Examiner in his or her examination of the application. The inclusion of information in this Disclosure Statement and as set forth on the attached Forms PTO-1449 is not necessarily a concession that such information is prior art to the present invention or that such information is in an art area analogous to the present

invention. Copies of the publications listed on the attached Forms PTO-1449 are submitted herewith.

It is respectfully requested that the Examiner initial Forms PTO-1449 and return a copy of same upon consideration of these publications.

Respectfully submitted,

Date 10 - 2 - 2003

Joseph M. Imhof Reg. No. 41,863

Synnestvedt & Lechner LLP

2600 Aramark Tower

1101 Market Street

Philadelphia, PA 19107-2950

(215) 923-4466

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number. Co...plete if Known Substitute for form 1449A/PTO **Application Number** 09/966,204 INFORMATION DISCLOSURE Filing Date September 28, 2001 STATEMENT BY APPLICANT First Named Inventor Yanling Sun Art Unit 2819 (use as many sheets as necessary) **Examiner Name** John B. Nguyen Sheet of Attorney Docket Number P26,643 USA

| | | | U.S. PAT | ENT DOCUMENTS | |
|-----------------------|--------------|--|--------------------------------|--|---|
| Examiner Initials* | Cite No.1 | Document Number Number Kind Code (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | AA | US- 4,810,976 | 03-07-1989 | Cowley et al. | Col. 2-5, figs. 1, 2, 5, 7 |
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| | FOREIGN PATENT DOCUMENTS | | | | | | | | | |
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| Examiner Initials* | | | Foreign Patent Document Office ³ Number ⁴ Kind ⁵ (if known) | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T6 | | |
| | AB | EP | 1005151 | A | 05-31-2000 | Matsushita Electric | Col. 7-12, fig. 3a- | | | |
| | | | | | | | 3b, 5a, 5b, 8 | | | |
| | AC | <u> </u> | European Search Rep | ort | 03-13-2001 | | | | | |
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| Signature | Considered | |

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at <u>www.uspto.gov</u> or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.

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| Application Number 09/966,204 | | | | | |
| Filing Date September 28, 2001 | | | | | |
| First Named Inventor | Yanling Sun | | | | |
| Group Art Unit | 2819 | | | | |
| Examiner Name | John B. Nguyen | | | | |
| Attorney Docket Number | P26,643 USA | | | | |
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| | OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS | | | | | | |
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| Examiner Initials | Cite No.¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | | T ² | | | |
| | AD | Hiroyuki Yabuki et al., "An Experimental Study On Frequency Synthesizers Using Push-Push Oscillators", 2334c IEICE Transations on Electronics E76-C (1993) June, No. 6, Toyko, JP, pages 932-937 | | | | | |
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^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.



UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address COMMISSIONER FOR PATENTS P.D. Bez 1450 Addressin, Viginia 12313-1450

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NOTICE OF ALLOWANCE AND FEE(S) DUE

7590

07/02/2003

Docket Administrator Agere Systems Inc. P.O. Box 614 Berkeley Heights, NJ 07922-0614

ENTERED COMPUTER

Dwgs: 10-2-03

EXAMINER

NOUYEN, JOHN B

ART UNIT

2819

CLASS-SUBCLASS 331-11700R

DATE MAILED: 07/02/2003

| APPLICATION NO. | FILING DATE | EIDCEALL (ED DE COLOR | , | |
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| | TIDATO DATO | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| • | | Yanling Sun | 2 | 4447 |

TLE OF INVENTION: PHASE-LOCKED LOOP CIRCUIT AS WELL AS A VOLTAGE-CONTROLLED OSCILLATOR AS USED IN A PHASE-LOCKED **JOP CIRCUIT**

| APPLN. TYPE | SMALL ENTITY | issub feb | PUBLICATION FEB | TOTAL FEE(S) DUE | DATE DUE |
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| nonprovisional | NO | \$1300 | \$300 | \$1600 | 10/02/2003 |

HE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. ROSECUTION ON THE MERITS IS CLOSED, THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. HIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON ETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

HE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE AILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY ERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT OR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) UST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS BANDONED.

OW TO REPLY TO THIS NOTICE:

Review the SMALL ENTITY status shown above.

the SMALL ENTITY is shown as YES, verify your current MALL ENTITY status:

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- B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check the box below and enclose the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.
- Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

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Page tof 4

OL-85 (RBV. 05-03) Approved for use through 04/30/2004.

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SYNNESTVEDT & LECHNER ATTEN: RRA

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DIRRENT CONCESTONDENCE AUDILESS (Mac: Logary man-up with my particular of sufficient Note: A certificate of mailing can only be used for demoster mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission. 07/02/2003 Docket Administrator Agere Systems Inc. MAY 1 0 2006 Certificate of Molling of Transmission I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Box Issue Fee addresses above, or being facsimile transmitted to the USPTO, on the date indicated below. P.O. Box 614 Borkeley Heights, NJ 07922-0614 (Signature) (Date FILING DATE APPLICATION NO. FIRST NAMED INVENTOR ATTORNEY DOCKET NO. CONFIRMATION NO. 09/966.204 09/28/2001 Yanling Sun 4442 ITLE OF INVENTION: PHASE-LOCKED LOOP CIRCUIT AS WELL AS A VOLTAGE-CONTROLLED OSCILLATOR AS USED IN A PHASE-LOCKED OOP CIRCUIT APPLN. TYPE SMALL ENTITY ISSUE FEB PUBLICATION FEE TOTAL PEE(S) DUE DATE DUE nonprovisional NO \$1300 5300 \$1600 10/02/2003 EXAMINER ART UNIT CLASS-SUBCLASS NGUYEN, JOHN B 2819 331-11700R 1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). 2. For printing on the patent front page, list (1) the names of up to 3 registered patent attempts or agents OR, alternatively, (2) the name of a Q Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) statched. single firm (having as a reamber a registered O "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customor attorney or agent) and the names of up to 2 registered patent allorneys or agents. If no name Number is required. is listed, no name will be printed. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type) PLPASE NOTE: Unless an assignce is identified below, no assignor data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment. (A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY) case check the appropriate sessiones category or categories (will not be printed on the patent) O individual O corporation or other private group entity O government s. The following fee(s) are enclosed: 4b. Payment of Fee(s): O Lino Fee A check in the amount of the fee(s) is enclosed. ☐ Publication Fcc D Payment by credit card. Form PTO-2038 is attached. O The Commissioner is hereby anthonized by change the required fee(s), or credit any overpayment, to Deposit Account Number ______(enclose an extra copy of this form). Advance Order - # of Copies oramissioner for Patents is requested to apply the lasue Fee and Publication Fee (if any) or to re-apply any previously paid Issue fee to the application identified above. (uthorized Signature) (Date) NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Fatent and Trademark Office.

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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| | | | DATE MAILED: 07/02/2003 | |

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The patent term adjustment to date is 0 days. If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the term adjustment will be 0 days.

If a continued prosecution application (CPA) was filed in the above-identified application, the filing date that determines patent term adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) system. (http://pair.uspto.gov)

Any questions regarding the patent term extension or adjustment determination should be directed to the Office of Patent Legal Administration at (703)305-1383.



United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Addres: COMMESSIONER FOR PATENTS P. DEX 180 Alconder, Viginia 12313-1440

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Notice of Fee Increase on January 1, 2003

If a reply to a "Notice of Allowance and Fee(s) Due" is filed in the Office on or after January 1, 2003, then the amount due will be higher than that set forth in the "Notice of Allowance and Fee(s) Due" since there will be an increase in fees effective on January 1, 2003. See Revision of Patent and Trademark Fees for Fiscal Year 2003; Final Rule, 67 Fed. Reg. 70847, 70849 (November 27, 2002).

The current fee schedule is accessible from: http://www.uspto.gov/main/howtofees.htm.

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Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.

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| * | A | | 12-2001 | Welland | 1 | | 455/260 |
| * | В | US-00-6,268,778 B1 | 07-2001 | Mucke (| et al. | | 331/117R |
| * | С | US-00-6,326,864 B1 | 12-2001 | Nicholls | et al. | | 331/56 |
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Notice of References Cited

Art Unit: 2819

Page 2

DETAILED ACTION

Allowable Subject Matter

- 1. Claims 1-9 are allowed.
- 2. The following is an examiner's statement of reasons for allowance: The prior art fails to show a phase-locked-loop circuit comprising: a voltage-controlled-oscillator which includes at least one resonator circuit for driving the oscillator, wherein during operation the resonator circuit runs at a resonator frequency to drive the oscillator at an oscillator output frequency which is an integer multiple greater than one of the resonator frequency as called for in claim 1. Therefore, claims 1-9 are presently allowed.

Conclusion

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

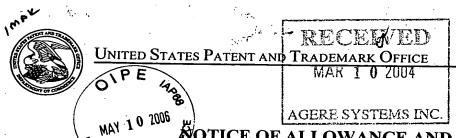
Any inquiry concerning this communication or earlier communications from the examiner should be directed to John B Nguyen whose telephone number is (703) 308-6039. The examiner can normally be reached on 8AM-4:30PM M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Tokar can be reached on (703) 305-3493. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-7722.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

John B. Nguyen June 27, 2003

Sijan Yaung



UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450

EXAMINER

OTICE OF ALLOWANCE AND FEE(S) DUE

03/08/2004 **Docket Administrator** Agere Systems Inc. P.O. Box 614

Berkeley Heights, NJ 07922-0614

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NGUYEN, JOHN B ART UNIT

2819

PAPER NUMBER

SYNNESTVEDT & LECHNER

atten:

DATE MAILED: 03/08/2004

| APPLICATION NO. | T FURIOR : FR | | | |
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| THE ELECTION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
| 09/966,204 | 09/28/2001 | Yanling Sun | 2 | 4442 |

TILE OF INVENTION: PHASE-LOCKED LOOP CIRCUIT AS WELL AS A VOLTAGE-CONTROLLED OSCILLATOR AS USED IN A PHASE-LOCKED LOOP

| APPLN. TYPE | SMALL ENTITY | ISSUE FEE | PUBLICATION FEE | TOTAL FEE(S) DUE | DATE DUE |
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| nonprovisional | NO | \$1330 | \$300 | \$1630 | 06/08/2004 |

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Page 1 of 3

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his collection of information is required by 37 CFR 1.311. The information is required to btain or retain a benefit by the public which is to file (and by the USPTO to process) an pplication. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is stimated to take 12 minutes to complete, including gathering, preparing, and submitting the ompleted application form to the USPTO. Time will vary depending upon the individual ase. Any comments on the amount of time you require to complete this form and/or uggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. atent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 2313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. END TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

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| The allowed claim(s) is/are <u>1-9</u> . | · | | | |
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| 09/966,204 | 09/28/2001 | Yanling Sun | 2 | 4442 |
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| P.O. Box 614 | T 07000 0 0 0 1 | | ART UNIT | PAPER NUMBER |
| Berkeley Heights, N | J 0/922-0614 | | 2819 | |
| | • | | DATE MAILED: 03/08/2004 | |

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 0 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 0 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) system (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (703) 305-1383. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.

DETAILED ACTION

Allowable Subject Matter

- 1. Claims 1-9 are allowed.
- 2. The following is an examiner's statement of reasons for allowance: The prior art fails to show a phase-locked-loop circuit comprising: a voltage-controlled-oscillator which includes at least one resonator circuit for driving the oscillator, wherein during operation the resonator circuit runs at a resonator frequency to drive the oscillator at an oscillator output frequency which is an integer multiple greater than one of the resonator frequency as called for in claim 1. Therefore, claims 1-9 are presently allowed.

Conclusion

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John B Nguyen whose telephone number (571) 272-1808. The examiner can normally be reached on 8AM-4:30PM M-F.

John B. Nguyen February 28, 2004

> Brian Young Primar Examiner

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| C | US-00-6,326,854 B1 | 12-2001 | Nicholls | et al. | | | 331/56 |
| D | US-00-5,650,754 | 07-1997 | Joshi et | al. | · · · | · · · · · · · · · · · · · · · · · · · | 331/36C |
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C.—(22 and 37 CFR 1.14.—This collection is estimated to take 2 hours.) The Corner process) an approximate Commerce by 35 U.S.C.-122 and 37 GPR 1.14. This collection is estimated to take 2-hours to complete, including gathering, preparing, and submitting the completed application from the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer. U.S. Patent and Trademark Office; U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450_DO:NOT-SEND FEES/OR COMPLETED LORMS TO THIS ADDRESS, SEND TO; Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450_DO:NOT-SEND FEES/OR COMPLETED.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| Application Serial No | 09/966,204 |
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| rning Date | |
| First Named Inventor | Vanling Sun |
| Assignee | Agere Systems, Inc. |
| Group Art Unit | 4442 |
| Examiner | John B. Nyouen |
| Attorney's Docket No | |
| Title | Phase-Locked Loop Circuit as well as a Voltage-Controlled |
| | Oscillator as Used in a Phase-Locked Loop Circuit |

RESPONSE TO OFFICE ACTION DATED DECEMBER 4, 2002 PURSUANT TO 37 C.F.R. §1.111

To:

Honorable Commissioner of Patents and Trademark

P.O.Box 1450

Alexandria, VA 22313-1450

From:

Joseph M. Imhof (Tel. 215-923-4466; Fax 215-923-2189)

Synnestvedt & Lechner LLP

2600 Aramark Tower, 1101 Market Street

Philadelphia, PA 19107

CERTIFICATE OF MAILING

I hereby certify that this correspondence, along with any paper indicated as being enclosed, are being deposited with the United States Postal Service as first-class mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 4, 2003.

AMENDMENT

Sir:

Please amend the above-identified Application as follows:

Amendments to the Claims are reflected in the "Listing of Claims," which begin on page 2 of this paper.

Remarks begin on page 5 of this paper.

This listing of Claims will replace all prior versions, and listings, of Claims in the Application:

Listing of Claims:

- 1. (currently amended) Phase-locked loop circuit comprising:
- a voltage-controlled oscillator which includes at least one resonator circuit for driving the oscillator;
- a phase-locked loop including frequency control means for controlling the output frequency of said oscillator, such that during operation said resonator circuit runs at a resonator frequency to drive said oscillator at an oscillator output frequency which is an integer multiple greater than one of the resonator frequency;

wherein the resonator frequency is coupled to the frequency control means of the phase-locked loop, in that and wherein the resonator circuit includes at least one adjustable component to control the resonator frequency. and in that the phase-locked loop frequency control means are coupled to the resonator circuit for controlling the resonator frequency.

2. (original). Phase-locked loop circuit according to claim 1, wherein the voltage-controlled oscillator comprises a push-pull circuit whose operating frequency is determined by a pair of resonator circuits and in that the frequency control means are coupled into at least one of said pair of resonator circuits.

- 3. (currently amended). Phase-locked loop circuit according to claim 2, wherein the push-pull circuit comprises a pair of substantially identical active devices being coupled to said resonator circuits, and in that the frequency control means comprise a phase detector which is capable of generating a an output signal which is fed back t the resonator circuits to control said active devices.
- 4. (original). Phase-locked loop circuit according to claim 3, wherein the active devices are field effect transistors.
- 5. (original). Phase-locked loop circuit according to claim 3, wherein the resonator circuits comprise LC-circuits with at least one variable capacitor in said LC-circuits being controlled by the frequency control means.
- 6. (currently amended). Phase-locked loop circuit according to claim 5, wherein the LC-circuits comprises comprise at least two variable capacitors each.
- 7. (original). Phase-locked loop circuit according to claim 3, wherein the active devices are each coupled in series with an inductor.
- 8. (original). Phase-locked loop circuit according to claim 2, wherein the resonator circuits are connected to a fixed potential via a load resistor.
- 9. (original). Phase-locked loop circuit according to claim 1, wherein the voltage-controlled oscillator comprises integrated components being integrated in a single semiconductor body.

REMARKS

Applicant respectfully requests reconsideration and allowance of the subject application. Claims 1-9 are pending, of which claims 1, 3, and 6 have been amended. The amendments made to claims 3 and 6 are purely to correct typographical errors noted by the Applicant, and not to overcome prior art.

Claim 1 has been amended in the interest of clarity. Claim 1, as amended, is in condition for allowance. All remaining claims depend from claim 1 and thus are also in condition for allowance.

35 U.S.C. §102 Claim Rejections

Claim 1 is rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No.6,327,463 B1, to Welland et al. (hereinafter "Welland"). With respect to claim 1 as amended, Applicant respectfully traverses the rejection.

The subject invention

The subject invention is a phase-locked loop circuit having a voltage-controlled oscillator, wherein the voltage-controlled oscillator comprises a resonator circuit. The resonator circuit drives the oscillator at an oscillator output frequency that is an integer multiple of the resonator frequency. The resonator frequency is coupled to the frequency control means of the phase-locked loop. In this manner, the phase-locked loop need only handle a fraction of the full RF output frequency of the oscillator. Thus, the need for additional frequency dividers or multipliers as found in the prior art is eliminated.

Welland

Welland teaches a method and apparatus for synthesizing high-frequency signals to limit phase noise and other signal impurities. Welland uses a phase-locked loop frequency synthesizer with a variable capacitance voltage-controlled oscillator that includes both discretely and continuously variable capacitance. The variable capacitance is used in conjunction with an LC tank oscillator circuit to drive the voltage-controlled oscillator. The discretely variable capacitance provides a coarse tuning adjustment to compensate for capacitor and inductor tolerances when adjusting the output frequency. The continuously variable capacitance provides a fine tuning adjustment to the output frequency.

The output from the voltage-controlled oscillator is fed to a frequency divider circuit (divide by N counter 214 of Fig. 2). The resulting divided signal is received by a phase detector within the phase-locked loop (202 of Fig. 2), and the divided signal is used by phase-locked loop to control its output frequency to a loop filter and then to the voltage-controlled oscillator.

Specific Rejections under 35 U.S.C. § 102

The Examiner has rejected claim 1 as being anticipated by Welland. Specifically, the Examiner states that "Welland et al. discloses a phase-locked loop circuit comprising: a voltage controlled oscillator (Fig. 2, 212) which includes at least one resonator circuit (Fig. 3 and Fig. 4) for driving the oscillator; a phase-locked loop including frequency control means (ABSTRACT) for controlling the output frequency of said oscillator, such that during operation said resonator circuit runs at a resonator frequency to drive said oscillator output frequency which is an integer multiple of the resonator frequency (col. 7, lines 45-67, col. 8, lines 1-60); wherein the resonator frequency is coupled to the frequency control means of the phase-locked loop, in that

the resonator circuit includes at least one adjustable component to control the resonator frequency and that in the phase locked loop frequency control means are coupled to the resonator circuit for controlling the resonator frequency (Fig. 4 and 5, column, lines 17-65; column 9, lines 33+..)." With respect to this rejection as applied to amended claim 1, Applicant respectfully traverses.

In order for a rejection under 35 U.S.C. §102 to be proper, each and every element of a claim must be found in the cited reference. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." (Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631 (Fed. Cir. 1987) M.P.E.P. §2131.

Claim 1, as amended, recites:

- [a] Phase-locked loop circuit comprising:
- a voltage-controlled oscillator which includes at least one resonator circuit for driving the oscillator;
- a phase-locked loop including frequency control means for controlling the output frequency of said oscillator, such that during operation said resonator circuit runs at a resonator frequency to drive said oscillator at an oscillator output frequency which is an integer multiple greater than one of the resonator frequency;

wherein the resonator frequency is coupled to the frequency control means of the phase-locked loop, wherein the resonator circuit includes at least one adjustable component to control the resonator frequency.

Welland fails to disclose each of the elements of claim 1. First, Applicant submits that Welland fails to disclose the use of a resonator circuit for driving the oscillator, as claimed in claim 1. Welland uses an LC tank oscillator having an external inductor to drive the voltage controlled oscillator.

Even if, assuming arguendo, that the LC tank circuit used in Welland can be equated to a resonator as claimed, Welland still fails to disclose the invention as claimed in claim 1.

One aspect of the claimed invention is to allow the phase-locked loop to operate with a voltage controlled oscillator having an output frequency higher than that which can be handled by the phase-locked loop frequency control means without requiring additional frequency divider circuitry in the feedback loop. Welland does not address this concern. The configuration of Welland is in accordance with the prior art as shown in Fig. 1 of the current application. In Welland, the output of the voltage controlled oscillator is subjected to a frequency divider circuit (214 of Fig. 2), and the output of this frequency divider circuit is coupled to the frequency control means of the phase-locked loop. This configuration is claimed in claim 1, and Welland fails to anticipate these elements.

Claim 1 recites a phase-locked loop including frequency control means for controlling the output frequency of said oscillator, such that during operation the resonator circuit runs at a resonator frequency to drive the oscillator at an oscillator output frequency which is an integer multiple greater than one of the resonator frequency. Claim 1 also recites that the resonator frequency is coupled to the frequency control means of the phase-locked loop. By using the resonator frequency instead of the output frequency of the voltage-controlled oscillator, no additional circuitry (in the form of a frequency divider or multiplier) is required.

Welland does not disclose using a resonator frequency to drive the voltage-controlled oscillator at an oscillator output frequency which is an integer multiple greater than one of the resonator frequency, as recited in claim 1. In Welland, the actual output of the voltage-controlled oscillator is supplied to a frequency divider circuit. The output signal of the voltage-controlled oscillator is not an integer multiple

greater than one of a resonator frequency. There is only one output in Welland. Clearly, since two outputs signal from the voltage-controlled oscillator are not present in Welland, a resonator frequency to drive said oscillator at an oscillator output frequency which is an integer multiple greater than one of the resonator frequency, as claimed in claim 1, is not taught. Thus, this feature is not anticipated by Welland.

Furthermore, Welland does not anticipate the element of claim 1 wherein the resonator frequency is coupled to the frequency control means of the phase-locked loop. In Welland, the output of the LC tank circuit is not coupled to the frequency control means of the phase-locked loop. The configuration of Welland is such that the output of the voltage controlled oscillator is coupled to a frequency divider circuit (divide by N counter 214 of Fig. 2 of Welland). Because the output of the LC tank circuit and the output of the voltage-controlled oscillator are the same (i.e., there is only one output in Welland), and by nature the frequency of this output is higher than that which can be accepted by the phase-locked loop, a divider circuit is necessary before coupling to the frequency control means of the phase-locked loop. The configuration taught in Welland is shown as prior art in Figure 1 of the Applicant's specification.

Welland does not teach the use of a resonator circuit, does not teach using a resonator frequency to drive the voltage-controlled oscillator at an oscillator output frequency which is an integer multiple greater than one of the resonator frequency, and does not teach coupling the resonator output to the frequency control means of the phase-locked loop. All of these elements are claimed in claim 1. Thus, clearly Welland does not anticipate claim 1. Claim 1, as amended, is patentable over Welland and in condition for allowance.

All of the remaining claims depend from claim 1. As a result, claims 2-9 are also in condition for allowance.

35 U.S.C. §103 Rejections

The Examiner has rejected claims 2-9 under 35 U.S.C. 103(a) as being unpatentable over Welland in view of U.S. Patent No. 6,268,778 B1 issued to Mucke et al. Claims 2-9, however, are all dependent upon claim 1. Mucke has been cited for reasons unrelated to the missing elements of claim 1, and therefore does not provide the necessary teaching lacking from Wellland. Thus, claims 2-9 are in condition for allowance for the reasons as set forth above, and the rejections of claims 2-9 under 35 U.S.C. 103(a) are moot.

Conclusion

Pending Claims 1-9 are in condition for allowance. Applicant respectfully requests reconsideration and issuance of the subject application. If any issues remain that preclude issuance of this application, the Examiner is urged to contact the undersigned attorney before issuing a subsequent Action.

Respectfully Submitted,

Dated: 6-4-7003

By: _____

Joseph Inhof Reg. No. 41,863

(215) 923-4466



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Sun, Yanling.

Application No: 09/966,204

Filing Date: 09/28/2001

Attorney Docket No:

SUN-2

(S&L P26,643 USA)

Title: Phase-Locked Loop Circuit as well as a Voltage-Controlled Oscillator as Used in a

Phase-Locked Loop Circuit

Art Group: 2819

Examiner: John B. Nguyen

Commissioner for Patents Mail Stop Issue Fee P.O. Box 1450 Alexandria, VA 22313-1450

ATTN: OFFICIAL DRAFTSPERSON

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, Mail Stop Issue Fee, P.O. Box 1450, Alexandria, VA 22313-1450, ATTN: OFFICIAL DRAFTSPERSON, on Thursday, August 21, 2003.

TRANSMITTAL LETTER TO OFFICIAL DRAFTSPERSON

Dear Official Draftsperson:

Applicants enclose herewith one (1) sheet of formal drawings (Figures 1, 2, and 3) relating to the above-identified patent application.

The following identifying indicia has been included in the top margin in accordance with 37 CFR §1.84 (c): the title, the inventor's name, and the application number.

Application No. 09/966,204 Attorney Docket No. P26,643 USA

Respectfully submitted,

Dated: August 21, 2003

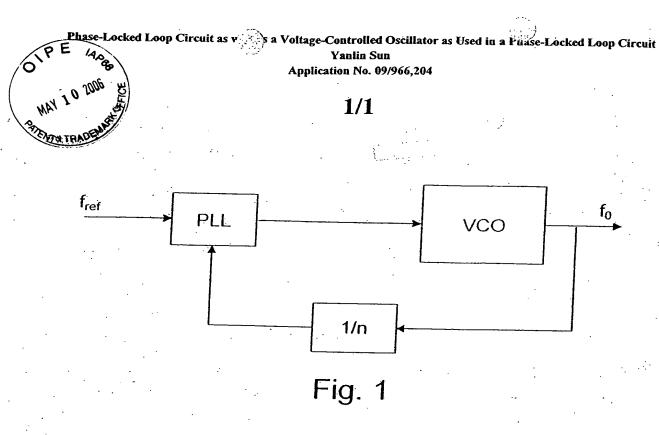
Joseph M. Imhof Registration No. 41,863

Synnestvedt & Lechner 2600 Aramark Tower 1101 Market Street Philadelphia, PA 19107

Telephone: (215) 923-4466 Facsimile: (215) 923-2189

Enclosures

M:\UImhof\Agere\P26643 USA\formal drawings transmittal letter.wpd



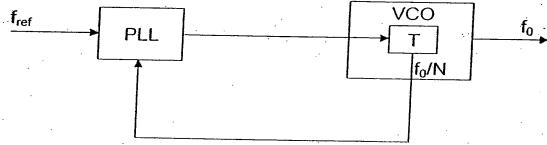


Fig. 2

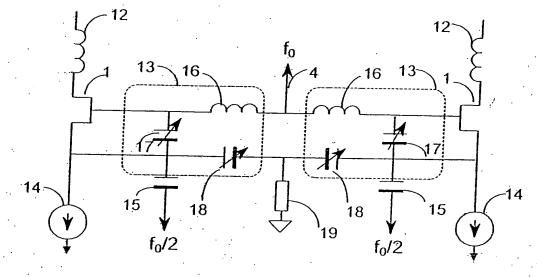


Fig. 3

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| REQUEST |
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| FOR |
| CONTINUED EXAMINATION (FCE) |
| CONTINUED EXAMINATION (FCE) TRANSMITTAL |
| roon to: |

Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

| Application Number | 09/966,204 |
|------------------------|--------------------|
| Filing Date | September 28, 2001 |
| First Named Inventor | Yanling Sun |
| Art Unit | 2819 |
| Examiner Name | John B. Nguyen |
| Attorney Docket Number | P26,643 USA |

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June
8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

| 1. Submission required under 37 CFR 1.114 Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such | | | | | | |
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| a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked. | | | | | | |
| 1. Consider the arguments in the Appeal Brief or Reply Brief previously filed on | | | | | | |
| ii. 🗖 Other | | | | | | |
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| b. S Enclosed | | | | | | |
| i. □ Amendment/Reply iii. ⊠ Information Disclosure Statement (IDS) ii. □ Affidavit(s)/Declaration(s) iv. □ Other | | | | | | |
| 2 Miscellaneous | | | | | | |
| a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for | | | | | | |
| a period of months (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required) b. Other | | | | | | |
| 3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed | | | | | | |
| 3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to | | | | | | |
| Deposit Account No. | | | | | | |
| i. RCE fee required under 37 CFR 1.17(e) | | | | | | |
| ii. Extension of time fee (37 CFR 1.17(e)) | | | | | | |
| iii. O Other | | | | | | |
| b. Check in the amount of \$ 770.00 enclosed | | | | | | |
| c. Payment by credit card (Form PTO-2038 enclosed) | | | | | | |
| WARNING: Information on this form may become public. Credit card information should not | | | | | | |
| be included on this form. Provide credit card information and authorization on PTO-2038. | | | | | | |
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| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED | | | | | | |
| Name (Print / Type) Joseph M. Impof Registration No. (Attorney / Agent) 41,863 | | | | | | |
| Signature Date October 2, 2003 | | | | | | |
| CERTIFICATE OF MAILING OR TRANSMISSION | | | | | | |
| hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to be U.S. Patent and Trademark Office on the date shown below. | | | | | | |
| Name (Print/Type) Dorothy M. Musgreave | | | | | | |
| Signature Date October 2, 2003 | | | | | | |
| his collection of information is required by 37 CFR 1.6. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to | | | | | | |

| PETITION FOR E | | Docket No. un 2 (S&L 26,643 USA) | | | | | | |
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| Dated: June 4, 2003 | | | | | | | | |
| Joseph M. Imhof | | | | | | | | |
| Reg. No. 41,863 Synnestvedt & Lechner L | .T.P | <u>. </u> | | | | | | |
| 2600 Aramark Tower | 78.78 | on Ju | une 4, 2003 | ment and fee is being deposited with the U.S. Postal Service as | | | | |
| 1101 Market Street Philadelphia, PA 19107 | | Comm | missioner for Patent | C.F.R. 1.8 and is addressed to the s, P.O. Box 1450, Alexandria, VA | | | | |
| (215) 923-4466 | | 2231. | 3-1450. | 20 00 | | | | |
| | | | Of Othy Signature of Pers | on Mailing Correspondence | | | | |
| cc: | | | Dorothy | y M. Musgreave | | | | |
| CC. | | $T_{Y_{I}}$ | ped or Printed Name | of Person Mailing Correspondence | | | | |